



PUBLIC NOTICE

Federal Communications Commission
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DA 08-1252
Released: May 29, 2008

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF WESTERN TELEPHONE COMPANY, INC. TO
VENTURE COMMUNICATIONS COOPERATIVE, INC.**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 08-77

Comments Due: June 12, 2008

Reply Comments Due: June 19, 2008

On May 22, 2008, Western Telephone Company, Inc. (Western) and Venture Communications Cooperative, Inc. (Venture, collectively Applicants) filed an application pursuant to sections 63.03 and 63.04 of the Commission's rules¹ requesting approval to transfer control of Western to Venture.

The Applicants do not seek streamlined treatment for this application under section 63.03(b) of the Commission's rules.² Western, a South Dakota corporation, is an incumbent local exchange carrier (LEC), serving the Faulkton, Cresbard, and Orient exchanges in Faulk, Hand, and Edmunds counties in rural north central South Dakota. Western also resells interstate long distance toll services to customers located in its local exchange service areas. Venture, a South Dakota corporation, is an incumbent LEC serving 27 South Dakota rural exchanges throughout the state.³ Venture also resells interstate long distance toll services to customers located in its local exchange service areas. Western's service area is adjacent to the cluster of Venture exchanges in north central South Dakota. Applicants state that Venture and Western have, in combination, fewer than two percent of the nation's subscriber lines installed in the aggregate nationwide, but, because of the adjacent service areas the Applicants have identified, this application is not entitled to presumptive streamlined treatment.

¹ 47 C.F.R. §§63.03, 63.04; *see* 47 U.S.C. § 214.

² 47 C.F.R. § 63.03(b).

³ Venture's exchanges are located in three clusters: (1) 16 exchanges – Highmore, Blunt, Gettysburg, Hoven, Onida, East Onida, West Onida, Ree Heights, Selby, Roscoe, Bowdle, Onaka, Seneca, Harrold, Lebanon, and Tolstoy – serve Beadle, Buffalo, Campbell, Hughes, Hyde, Faulk, Potter, Walworth, Edmunds, Sully, and Hand counties in north central South Dakota; (2) four exchanges – Hitchcock, Tulare, Wessington, and Wessington Springs – serve Beadle, Spink, Jerauld, and Hand counties in east central South Dakota; and (3) seven exchanges – Britton, North Britton, Langford, Pierpont, Rosholt, Roslyn, and Sisseton – serve Marshall, Day, Brown, and Roberts counties in northeast South Dakota.

Western is a closely-held corporation with all of its stock owned by six individuals and a family trust. The following United States citizens or entities directly own nearly ten percent or more of the equity of Western: M. Louise Brown (44.3 percent), Alden and Carmen Brown (16.7 percent), Mason and Julie Brown (16.6 percent), Clareen Johnson (11.2 percent), and Denise Brown Family Trust (9.5 percent). Applicants state that no other individual or entity directly or indirectly owns at least ten percent of the voting and/or equity interests of Western.

Venture is a rural telephone cooperative in which Applicants state no member-owner directly or indirectly owns or controls ten percent or more of the voting and/or equity interests. Applicants further state that Venture holds interests in several other competitive wireline and wireless telecommunications entities in Iowa and South Dakota.

The proposed transaction entails the transfer of control of all of the issued and outstanding stock of Western by the existing shareholders to Venture. Control of Western will give Venture control of the blanket domestic Section 214 authorization held by Western.

The Applicants state that the proposed transaction is in the public interest because Venture is an established rural telecommunications cooperative that has long served rural exchanges in South Dakota. In addition, Applicants state that the proposed transaction will ensure that rural South Dakota customers of Western will continue to receive high-quality, state-of-the-art voice, data, and video services at affordable rates.

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a non-streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before June 12, 2008** and reply comments **on or before June 19, 2008**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's e-Rulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal e-Rulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- **For ECFS filers,** if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202 / 418-0530 (voice), 202 / 418-0432 (tty).

In addition, one copy of each pleading must be sent to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, www.bcpweb.com; phone: 202 / 488-5300 fax: 202 / 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A103, Washington, D.C. 20554; e-mail: tracey.wilson-parker@fcc.gov;
- 3) Matt Warner, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C347, Washington, D.C. 20554; e-mail: matthew.warner@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, 445 12th Street, S.W., Room 7-A664 Washington, D.C. 20554; e-mail: david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: jim.bird@fcc.gov.

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: 202 / 488-5300, fax: 202 / 488-5563, or via e-mail www.bcpweb.com.

For further information, please contact Tracey Wilson-Parker at 202 / 418-1394 or Matt Warner at 202 / 418-2419.

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